(40)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition N o. 441 of 2005

Petitioner Jai Chand Thakur S/o Jannu Ram, aged 35 years, Waterman cum watchman in Govt. Pre-matric Aadiwasi girls Hostel, Chikhla Kasar [Dallirajhara], Distt. Durg [C.G.]
R/o. village Baghmara, Tah. Balod, Distt. Durg [C.G.]

Versus

Respondents
1. State of Chhattisgarh, through - Secretary, Schedule Tribes, Scheduled Castes and other backward class welfare, Department, Raipur [C.G.]
2. Collector, Durg, District Durg [C.G]

Writ petition under Article 226 of the Constitution of India

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Present: Smt. Meena Shashtri, Advocate for the petitioner.
Smt. Anju Ahuja, Dy. Govt. Advocate for the State/respondents.

ORAL ORDER
(Passed on 9th Day of May, 2007)

1. The case of the petitioner is that he was appointed as peon (Class IV Employee) in Pre Matric Adivasi Girls Hostel, Chikhla Kasar [Dallirajhara], Distt. Durg, on 12.08.1992, under 'Anusuchit Jati/Janjati Vishesh Bhartiya Abhiyan' by the concerned Collector as per merit list prepared by the selection committee. The grievance of the petitioner in this writ petition is that the respondents have not regularized his service till date. The petitioner has filed a representation to the Collector Durg in this regard and that has not been decided. The petitioner made several requests for regularization of his services in oral and written form, but

(41)

the authority is not ready to take any positive action. He had filed a representation to the Collector, Durg, on 16.09.2004

2. In this petition filed under Article 226 of the Constitution of India, the relief sought for by the petitioner is as under:

> "This Hon'ble Court kindly be pleased to direct the respondents to pay the petitioner regular pay-scale with arrears of pay since 1992 or after 1992 making regularization."

3. In my opinion the responsible respondents ought to have considered the grievance of the petitioner made in his representation. Since that has not been done, a direction requires to be issued to the respondents. Accordingly, the following:

ORDER

(i) The writ petition is disposed of.

(ii) A direction is issued to the competent authority before whom the representation said to have been filed by the petitioner is pending, to consider the same and pass an appropriate order in accordance with law, within six months from the date of receipt of a copy of this order. Ordered accordingly.

Sd/-
Satish K. Agnihotri
Judge